

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MONTANA MEDICAL
ASSOCIATION, et al.,

Plaintiffs,

and

MONTANA NURSES
ASSOCIATION,

Plaintiff-Intervenor,

vs.

AUSTIN KNUDSEN, et al.,

Defendants.

CV 21-108-M-DWM

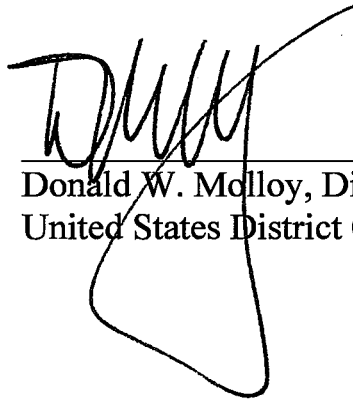
ORDER

Plaintiffs and Plaintiff-Intervenors filed a joint motion for a preliminary injunction. (Doc. 42.) They request an injunction of the enforcement of Mont. Code Ann. §§ 49-2-312 and 49-2-313 against healthcare facilities subject to the Centers for Medicare and Medicaid (“CMS”) conditions of participation in the Medicare and Medicaid programs. (*Id.* at 2.) Defendants oppose the motion. (*Id.*) “The notice required by [Federal Rule of Civil Procedure] 65(a) implies a hearing in which the defendant is given a fair opportunity to oppose the application and to prepare for such opposition” is required. *Granny Goose Foods, Inc. v.*

Brotherhood of Teamsters and Auto Truck Drivers Local No. 70 of Alameda Cnty.,
415 U.S. 423, 432 n.7 (1974). Accordingly,

IT IS ORDERED that a hearing on the motion for preliminary injunction,
(Doc. 42), is set for Thursday, March 3, 2022, at 2:00 p.m. at the Russell Smith
Courthouse in Missoula, Montana. Plaintiffs shall be given 20 minutes to argue,
Plaintiff-Intervenor shall be given 10 minutes to argue, and Defendants shall be
given 20 minutes to argue.

DATED this 17th day of February, 2022.


Donald W. Molloy, District Judge
United States District Court

14:48 P.M.